

REMARKS

Claims 1-19 are pending. Claims 10-14 are withdrawn from consideration.

Claims 1-9 have been amended herein. The amendments are to correct grammatical and antecedent basis errors. Applicants respectfully submit that none of the changes are substantive.

Specification

The Office Action asserts that there is no description of layer 34 in Figure 26.

Applicants have checked the file and PAIR, and respectfully submit that reference no. 34 is present in the Figure and described as barrier metal films at page 12 of the specification.

Applicants' Response to the Rejections under 35 U.S.C. §112

Claims 1-9 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In regard to the rejection based on "the La concentration"; "the lowermost surface"; "the uppermost surface" and "the surface," Applicants have replaced "the" with "a" to demonstrate the claims are describing a change in concentration based on a change in surface.

In regard to claims 2-9, Applicants have adopted the Examiner's suggestion to replace "the device" with "the semiconductor device."

In light of these amendments, Applicants respectfully request favorable reconsideration and removal of the rejection based on §112.

For at least the foregoing reasons, it is believed that this application is now in condition for allowance. If, for any reason, it is believed that this application is not in condition for allowance, Examiner is encouraged to contact the Applicants' undersigned attorney at the telephone number below to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

By:



Michael J. Caridi

Reg. No.: 56,171

Attorney for Applicant

Tel: (202) 822-1100

Fax: (202) 822-1111

MJC/SGA/rer